

REMARKS/ARGUMENTS

The rejections presented in the Office Action dated April 25, 2007 (hereinafter Office Action) have been considered but are believed to be improper for being based upon a reference that does not qualify as prior art. Reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

Applicant appreciates the indication of allowability for Claims 7, 8, 14, 16, 17, 24, 25, 31, 33 and 34.

With respect to each of the §103(a) rejections, each of which is based in part upon the teachings of U.S. Publication No. 2004/0245352 by Smith (hereinafter "Smith"), Applicant respectfully traverses because Smith is not "prior art" with respect to the instant application. The cover page of Smith indicates that Smith was filed on June 3, 2003 without an identification of a claim of priority to any earlier date. This June 2003 filing date of Smith is later than the claimed priority dates of the instant application.

The instant application is a national stage application having an international filing date of June 16, 2003, which also claims priority in accordance with MPEP §1828 to two Finnish applications dated, respectively, September 16, 2002 and June 19, 2002. As certified copies of these priority documents have been received by the United States Patent Office as indicated on the Office Action Summary sheet and the claim for priority was timely made at the time of filing the international application, the priority claim to these Finnish applications is believed to be valid. In addition, the International Preliminary Report on Patentability (at Box II) for the corresponding international application indicated that the priority claim to the Finnish applications was found to be valid.

As the instant application is entitled to the claimed priority dates and Smith was not filed until after these priority dates, Smith is not "prior art" with respect to the instant application. As Smith is not a valid prior art reference, each of the rejections, each of which relies upon the teachings of Smith, is improper. Applicant accordingly requests that each of the §103(a) rejections be withdrawn.

It should be noted that Applicant does not acquiesce to the Examiner's statements or conclusions concerning what would have been obvious to one of ordinary skill in the art, obvious design choices, common knowledge at the time of Applicant's invention, officially noticed facts, and the like. Applicant reserves the right to address in detail the Examiner's characterizations, conclusions, and rejections in future prosecution.

Authorization is given to charge Deposit Account No. 50-3581 (NKO.056.WUS) any necessary fees for this filing. If the Examiner believes it necessary or helpful, the undersigned attorney of record invites the Examiner to contact the undersigned attorney to discuss any issues related to this case.

Respectfully submitted,

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